

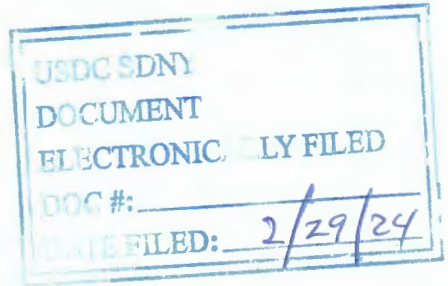
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MEETINGS BY APPOINTMENT ONLY

2/29/24  
Conference rescheduled  
to May 29, 2024  
At 10:45 AM  
Colleen McMahon

February 27, 2024

**VIA ECF**

Honorable Colleen McMahon, U.S.D.J.  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007

*He will when  
reschedule  
my return*

Re: **Scott Cawthon v. Vu the Long, et al.;**  
**Docket No.: 1:23-cv-10374**

Dear Judge McMahon:

Our firm represents plaintiff Scott Cawthon ("Plaintiff") in the above-captioned matter. We write regarding the pretrial conference currently scheduled for March 7, 2024 at 10:45 a.m.

Please be aware that on January 9, 2024 Plaintiff requested that the defendants Vu the Long a/k/a Long Vu and XSmart Global ("Defendants") waive formal service of the complaint and summons pursuant to Federal Rule of Civil Procedure 4(d). Therefore, assuming service of process is waived, Defendants' answer to the complaint (ECF 1) is not due until April 8, 2024, and Defendants are yet to formally appear in this action. Moreover, we have been in contact with the Defendants' counsel, Mr. Steven M. Zeller, Esq. of Dykema Gossett PLLC, and are actively pursuing settlement of this matter.

Accordingly, we respectfully request that the Court adjourn the March 7<sup>th</sup> conference to a date that is convenient for the Court and subsequent to April 8, 2024.

Thank you for your attention to this matter.

Respectfully submitted,

**NISSENBAUM LAW GROUP, LLC**

BY: /s/ Anthony C. Gunst, IV  
Anthony C. Gunst, IV